

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ZACHARY I. POND,

Petitioner,

v.

COWLITZ COUNTY SUPERIOR COURT,

Respondent.

CASE NO. 3:22-cv-05172-RSM-BAT

ORDER OF DISMISSAL

Having reviewed the Report and Recommendation of the assigned United States Magistrate Judge, any objections, and the remaining record, the Court finds and ORDERS:

(1) The Court ADOPTS the Report and Recommendation (Dkt. #4).

(2) Petitioner's Declaration and Application to Proceed in Forma Pauperis in a Federal Habeas Action (Dkt. #7) is DENIED as moot.

(3) The matter is dismissed without prejudice. Issuance of a certificate of appealability is denied.

(4) The Clerk is directed to send copies of this Order to the parties.

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1 DATED this 20th day of April, 2022.

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5 RICARDO S. MARTINEZ
6 CHIEF UNITED STATES DISTRICT JUDGE
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